

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE MEDLIN, PRESIDENT 2002 PRESIDING

April 3, 2002

A. CALL TO ORDER

The April 3, 2002, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

Chief Deputy Charlie Brown of the DeSoto County Sheriff’s Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1  
Supervisor Eugene C. Thach-----District 2  
Supervisor Gerald Clifton-----District 3  
Supervisor John Caldwell-----District 4  
Supervisor Tommy Lewis--District 5-----Absent  
W. E. Sluggo Davis-----Chancery Clerk  
Sheriff James Albert Riley---- -----Sheriff  
David Armstrong-----County Administrator  
Tony Nowak-----Board Attorney

B. INVOCATION

Supervisor Eugene Thach presented the invocation.

C. PLANNING COMMISSION

The Planning Commission brought several items before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission. **\*\*See Exhibit C\*\***

D. INTENT TO BORROW FROM MISSISSIPPI DEVELOPMENT BANK – PROTEST HEARING

County Administrator David Armstrong said the Board of Supervisors has applied to the Mississippi Development Bank for an additional \$10 million line of credit. Mr. Armstrong said the County has advertised three times in *The DeSoto Times Today* and there has been no protest filed with the County. Mr. Armstrong said Steve Pittman, with Butler, Snow, O’Mara, Stevens & Cannada, PLLC, is present with the Resolution to be adopted by the Board and signed by the Board President so they can start the loan paperwork process.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to authorize the Board President to sign the Resolution declaring the intention of the County to authorize the borrowing of an amount not to exceed ten million dollars (\$10,000,000), by entering into a loan with the Mississippi Development Bank. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit D\*\***

CONTINUED,

4/03/02

**Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to recess until 1:30 p.m. The motion passed by a vote as follows:**

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**E. OLD BUISINESS**

**1. Planning Commission – Open Public Hearing**

Supervisor Jessie Medlin reopened the Public Hearing for the Flood Plain Ordinance.

**a. Flood Plain Ordinance Amendment**

Merritt Powell said that the County had a meeting with MEMA to review the Flood Damage Prevention Ordinance. They then sent a letter in September to the County of the need to update the County Flood Plain Ordinance. Mr. Powell said the Planning Commission is ready to recommend changes to the County’s existing Flood Plain Ordinance. Mr. Powell said there are a lot of definitions that need to be added to the Ordinance and there are some items the Board needs to discuss before being added to the Ordinance. Mr. Powell said the requirement for who can fill out permits also needs clarification. The old Ordinance says registered engineers and land surveyors can certify building in the flood plain. Mr. Powell said the new Ordinance says, and he recommends, land surveyors, engineers and probably architects can certify building in the flood plain permits. Supervisor John Caldwell said to use all three because there are architects who are also engineers. County Engineer Andy Swims said that normally engineers are the best ones to use on elevations and that the architects do the wording on the type of buildings to be constructed. Supervisor John Caldwell asked who is the Flood Plain Expert or building official? Merritt Powell said at this time it is him, that the Director of Planning was designated through a Board Order. Supervisor Jessie Medlin clarified and Merritt Powell agreed this means a land surveyor can sign off on something being in the flood plain. Supervisor Medlin questioned that practice.

Supervisor Jessie Medlin asked what changes to the Ordinance need to be addressed by the Board. Merritt Powell said that 50 lots or 5 acres have to have a basic flood elevation plan. Supervisor Caldwell asked how is this handled now. Merritt Powell said the Planning Commission has some guidelines for flood zones that deal with the basic flood elevation of the property and currently we must build three (3) feet above the flood elevation. Supervisor Caldwell said how can the County see that lots in a subdivision have different basic flood elevations. Andy Swims said a survey of the property is required to determine the basic flood elevation of the property.

Supervisor Gerald Clifton asked Rex Haynes, County Consultant for Insurance, how a homeowner in the flood plain would get insurance on a home. Mr. Haynes said if the home was in a flood plain the insurance company would require an elevation permit or a flood certificate. Mr. Haynes said if a Federal Institution loans money for a home, the home has to have flood insurance.

Supervisor John Caldwell asked if the County requires people who build in a certain place to bring their building up three (3) feet and it still floods, is the County liable. Andy Swims said all we are doing is reducing the risk. Supervisor John Caldwell said that the engineers do not usually end up being responsible for their mistakes.

Supervisor Jessie Medlin asked when the Flood Plain Ordinance has to be completed. Merritt Powell said there are a lot of questions to be answered and that when we get

**ITEM E.1.a, CONTINUED,**

this done, but there is no time limit in place. Supervisor Eugene Thach said the Board might need a workshop to work on this.

Andy Swims said that FEMA maps have the basic flood elevation on them, but the developer has to establish the basic flood elevation if it is not on the FEMA map. Merritt Powell said the Board should consider what needs to be in the ordinance and what areas of the County that are in the flood plain.

Supervisor John Caldwell asked if the standards for streams has blanks, should this be filled in. Andy Swims said FEMA recommended the County fill in this section when dealing with streams in flood plain areas. Merritt Powell said major streams require a specification as to how close a subdivision can be built in its area. Merritt Powell said they should discuss the County buying easements and this would not allow people to build in the area.

Andy Swims said his recommendation, as an engineer, regarding streams would be no encroachments, including fill material or structures, should be located within a distance of the stream bank equal to (3) times the width of the stream at the top of the bank or (50) feet each side from the top of the bank, whichever is greater, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

Supervisor Eugene Thach said people can't build in a floodway. Merritt Powell said the County already has problems with buildings in a flood plain. Andy Swims said the County could create an area that would not allow any building. Merritt Powell said that flood proofing versus flood plain has different criteria. Merritt Powell said to not adopt this ordinance would leave a lot of un-buildable land in the County.

Supervisor Jessie Medlin said the Board should meet on April 8, 2002 for a workshop. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion for the Board of Supervisors to meet to determine the concerns of the Planning Commission and to establish the Flood Plain Ordinance Amendment.

Supervisor Eugene Thach said the Board would like for the County Engineer and the Planning Commission to make recommendations to the Board of Supervisors. Supervisor Gerald Clifton asked what would happen to areas already built? Merritt Powell said they would have to be grandfathered in unless they are destroyed by some circumstances and they plan to rebuild, then the ordinance would apply.

Andy Swims said the County has the right to designate areas that are not already on FEMA maps after information has been gathered regarding proof of flooding. Supervisor Caldwell said this would have to be approved by the Board of Supervisors first. Supervisor Clifton asked how would maps at FEMA be updated so that builders would be aware of the flood plain and the County not be liable.

Supervisor John Caldwell withdrew his motion and Supervisor Jessie Medlin withdrew his second.

Supervisor John Caldwell made the motion to approve the following changes to the flood plain ordinance:

1. No encroachments, including fill material or structures, should be located within a distance of the stream bank equal to three (3) times the width of the stream at the top of the bank or fifty (50) feet each side from the top of the bank, whichever is greater, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

**ITEM E.1.a, CONTINUED,**

2. Residential Construction. – New construction or substantial improvement of any

- residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than one (1) feet above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Article 5, Section B (3). In the A Zone where there is no base flood elevation determined the structure shall be elevated to no less than three (3) feet above the natural or **highest** adjacent grade.
3. No structural development may be approved inside a designated floodway.
  4. Put in the definitions – Highest elevation requirement to determine basic flood elevation.

Supervisor Gerald Clifton seconded the motion. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit E.1.a\*\***

**b. Establishment of a Community Flood Plain Ordinance in Eastern DeSoto County**

County Engineer Andy Swims said he recommends allowing Engineer Ben Smith to provide a letter stating that Stockade Drive in the Estates of Centerhill Subdivision must be elevated one foot above the flood elevation and the floors of houses on the lots will be elevated one foot above the road. Supervisor Jessie Medlin asked if the County is holding permits on the subdivision. Merritt Powell said some lots are not in the flood zone and they could build, but the road has to be elevated before the final inspection on the houses could be done. Supervisor Jessie Medlin said some areas in the subdivision needed to be addressed with headwalls. Merritt Powell agreed headwalls were necessary to meet the regulations. Supervisor Medlin said he would get with Russell Dorris and Andy Swims and they would all go and look at this subdivision regarding being able to release any future building permits. Supervisor Medlin said there are some culverts under the road that have no headwalls in this area.

County Administrator David Armstrong asked Merritt Powell if this building permit hold order would go into effect today. Merritt Powell said yes.

**c. MPO Appointment**

Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded this motion to carry this item over until the Board meeting on April 15, 2002. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**2. Tax Assessor Contract – Bill Bryant**

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the payment to Bill Bryant that was held over from the claims docket on Monday, April 1, 2002 Board meeting. The motion passed by a vote as follows:

**ITEM E.2, CONTINUED,**

Supervisor Jessie Medlin	YES
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Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**F. NEW BUSINESS**

**1. Approval of Notice to Proceed for Utilities for Brentwood Originals**

Nathan Husman, Engineering Associates P.E., appeared before the Board of Supervisors requesting authorization from the Board for the Board President to sign the Notice to Proceed agreement with Freeland & Lemm Construction for the Brentwood Utilities project. Nathan Husman said this project is funded by the EDA, but that County money is being used until the EDA funds come in. Nathan Husman said that the Walls Water Association would lease the facility in order to operate and manage it for twenty (20) years and then it would be turned over to Walls Water Association but nor formal arrangements have been made.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Board President to sign the Notice to Proceed agreement with Freeland & Lemm Construction for the Brentwood Utilities project. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit F.1\*\***

**2. Central Maintenance Safety Contest – Rex Haynes**

County Administrator David Armstrong said Rex Haynes, County Insurance Consultant, has been working with the County Safety Officers to help get the insurance claims down. Mr. Haynes said he serves on the County Safety Committee to review the workers comp claims. Mr. Haynes said they have been investigating the windshield, windows and storm door claims that are caused by the County mowers to be sure the equipment is well maintained and to encourage the personnel to be aware of hazardous conditions. Mr. Haynes said there have been an average of 35 claims filed with an average of \$500 each for the windshield claims.

Mr. Haynes said they want to do an incentive for the Central Maintenance personnel with all the fees for the event coming from the Insurance Agency and no cost would be to the County. They plan on kicking the campaign off by having a hamburger cookout for the Central Maintenance crew and they would cook and serve the meal. Mr. Haynes said the goal is to reduce the number of rock claims this grass-cutting season. They will track the results during the summer and the goal is to cut the number of claims in half. If they are successful the employees and their wives would be catered a catfish supper at the end of the season.

Supervisor Jessie Medlin said some aggressive steps have been made for the County and this type of incentive would be good for the employees to help create an interest in safety.

Tim Curtis, Safety Officer, said the County needs to cut down on claims and they appreciate Mr. Haynes help.

Supervisor Jessie Medlin asked if there was any way to look at equipment to see what

**ITEM F.2, CONTINUED,**

needs to be done. Russell Dorris, Road Manager, said they are trying to keep things

picked up on the roads before the mowing begins. Mr. Dorris said the type of equipment being used in the high traffic areas would hopefully not allow the slinging of debris. No motions or actions were made on this item. **\*\*See Exhibit F.2\*\***

**3. County Engineers Monthly Report**

County Engineer Andy Swims said he has tried to come up with a format for his monthly report. Andy Swims said he would like the Board of Supervisors comments from the report if there are areas that he should change.

Andy Swim discussed the different jobs that he is involved in on the road improvement projects. Supervisor Jessie Medlin said to check with Daniel Murphy to see what work needs to be done if he had any questions.

Supervisor John Caldwell said this was the type of listing he wanted to see and suggested a category for the interfacing with contracted out jobs being added to the list. Supervisor Jessie Medlin said the Board appreciates the work that he has been doing. Supervisor Eugene Thach asked Andy Swims if any suggestions were needed from the Board. Andy Swims said that on the Sidewinder Road and Airways Road projects or Swinnea Road, which road takes precedence? Supervisor John Caldwell said the Board wants to do both roads. Russell Dorris, Road Manager, said that he would work with Andy on these roads. No motions or actions were taken on this item. **\*\*See Exhibit F.3\*\***

**4. Approval to Bid Fuel Tanker – Sheriff Dept.**

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to hold this item over. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit F.4\*\***

**5. Brentwood Originals**  
**a. CDBG Resolutions**

Chris Gouras, Planning Consultant, presented Grant Agreements in connection with the Community Development Block Grant Project No. 01-017-ED-IF01, which has six standard Resolutions that are required for the Grant. Chris Gouras said there is a change in the Resolution for Supervisor Jessie Medlin, the current Board President, to sign grant documents.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to authorize the Board President to sign the Resolutions for the CDBG Grant as follows:

- 1. Resolution Stating a Firm Commitment to Complying with the National Policy Objective of Community Development Block Grant Project No. 01-017-ED-IF01.
- 2. Resolution Protecting Individuals Engaged in Non-Violent Civil Rights Demonstrations for CDBG Project Number 01-017-ED-IF01.
- 3. Fair Housing Resolution for Community Development Block Grant Project Number 01-017-ED-IF01.
- 4. Resolution Encouraging Minority Business Enterprises and Women Business Enterprises (MBE/WBE) for CDBG Project Number 01-017-ED-IF01.

**ITEM F.5.a, CONTINUED,**

- 5. Resolution Endorsing Civil Rights Laws and Executive Orders Applicable to the Community Development Block Grant Program for CDBG Project Number 01-017-ED-IF01.
- 6. Resolution Adopting Standards of Conduct and Procurement for the Community Development Block Grant Program Project Number 01-017-ED-IF01.
- 7. Administrative Agreement between the DeSoto County Board of Supervisors and Jimmy G. Gouras Urban Planning Consultants for application preparation and subsequent administration of CDBG Project Number 01-017-ED-IF01.

The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

Chris Gouras said the Board President also needs to sign a letter to the Department of Economic and Community Development appointing Jimmy G. Gouras, Planning Consultant with the firm of Jimmy G. Gouras, Urban Planning Consultants, Inc. as FSP Manual Coordinator for the project and as Equal Opportunity and Labor Compliance Officer.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the Board President to sign the letter to the Department of Economic and Community Development appointing Jimmy G. Gouras, Planning Consultant with the firm of Jimmy G. Gouras, Urban Planning Consultants, Inc. as FSP Manual Coordinator for the project and as Equal Opportunity and Labor Compliance Officer. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit F.5.a\*\***

**b. CDBG Agreements**

Chris Gouras, Planning Consultant, said the MDA Subgrant required changes to the budget expenses the County has undertaken for the Brentwood project. The administrative agreement expenses were split, with one-half of the expenses coming from the CDBG Grant and one-half coming from the EDA Grant. Mr. Gouras said the total administrative cost is \$70,000.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Board President to sign MDA Subgrant documents relating to the budget requirement changes. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit F.5.b\*\***

**ITEM F, CONTINUED,**

**6. Approval of Contract with Engineering Assoc. for Starlanding Road and Nail Road**

**Overpass Project**

Supervisor John Caldwell made the motion to hold this item over due to this contract being based on the verbal commitment from the Railroad. Supervisor John Caldwell said that he recommends a letter be sent to the Railroad asking their intentions on the project. Supervisor Gerald Clifton seconded the motion. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit F.6\*\***

**7. Approval of Federal Equitable Sharing Agreement – Metro Narcotics**

County Administrator David Armstrong said the DeSoto County Metro Narcotics Unit has requested to enter into a Federal Equitable Sharing Agreement that would require the Board President’s signature.

Metro Narcotics Agent Gary Smith said they must have this agreement with the other law enforcement offices if they assist in the cases. This agreement entitles the County to get a portion of any seizures that are made. This is a once a year agreement and the Federal Government makes the determination about sharing amounts. Agent Smith said the Board Attorney Tony Nowak had looked over this agreement and saw no problems with it.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the Board President to sign the Federal Equitable Sharing Agreement for the DeSoto County Metro Narcotics Unit. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit F.7\*\***

**8. Board of Education Request for School Bus Turnarounds**

The DeSoto County Board of Supervisors received a letter dated March 28, 2002 from the DeSoto County Schools Superintendent Jerry Baird requesting the County to maintain the properties which are used as school bus turnarounds. In accordance with Section 19-3-42, Mississippi Code of 1972 as amended, stating that the school bus turnarounds will be built, maintained and improved, Supervisor John Caldwell made the motion to build, maintain, and improve the properties in the Superintendent’s letter dated March 28, 2002, and to direct the County Road Manager to carry out this order of this Board forthwith. Supervisor Gerald Clifton seconded the motion for the following list:

Fred Smith	2758 Elm St.	Hernando, MS	Bus #181
Dawn Hinton	14740 DeSoto Rd.	Olive Branch, MS	Bus #2
Lisa Ellis	5685 Patricia	Walls, MS	Bus #158
Deloise Mosby	5398 Allen Rd.	Hernando, MS	Bus #16
H.K. Livingston	8320 Tulane Rd.	Hernando, MS	Bus #181

**ITEM F.8, CONTINUED,**

Diane Grantham	5466 Delta View Rd.	Walls, MS	Bus #89
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The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit F.8\*\***

**G. EXECUTIVE SESSION**

The executive session portions of these minutes are recorded under the portion of the minutes called “Executive Session.”

**H. OTHER ISSUES**

**1. Making the Justice Department Response to the Optical Scan Election Equipment a Part of the Minutes**

County Administrator David Armstrong said the County has received a letter from the Department of Justice stating there are no objections to the specified change to the optical scan voting system. No motions or actions were taken on this item. **\*\*See Exhibit H.1\*\***

**2. Overlay Contract**

Supervisor Jessie Medlin said the updated list of roads for the overlay contract would not be completed in this budget year. County Road Manager Russell Dorris said that he and Daniel Murphy, Consulting Engineer, had met on the list to work up the tonnage necessary for the overlay. Mr. Dorris said some of the roads on the list are to have one-half of the cost for the overlay to be paid by the Cities they are in. Supervisor John Caldwell said the ones with questions should come off of the list.

Supervisor John Caldwell made the motion to approve the list presented by the Road Manager with the exception of Twelve Oaks Subdivision, Dean Road, Green T Road, McCracken Road, and Tchulahoma Road to come off the list and to keep Starlanding Road from Fogg Road to Hwy 301, Goodman Road from Hwy 305 to Hacks Cross Road, and Old Goodman Road from Hwy 305 to Bypass on the list. The motion failed for a lack of a second.

Supervisor Eugene Thach made the motion to leave the list as presented, minus Green T Road, by the Road Manager. The motion failed for a lack of a second.

Russell Dorris said some of the roads on the overlay contract are narrow roads and they would not require a lot of expense for the overlay. Supervisor Jessie Medlin said some of the roads that the Cities are willing to pay half on should stay on the list.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve taking off Allison Road, McElroy Road, Ranch Road, and Green T Road, and keeping Starlanding Road from Fogg Road to Hwy 301, Old Goodman Road from Hwy 305 to Bypass and Goodman Road from Hwy 305 to Hacks Cross Road on the list for the overlay contract. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
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**ITEM H.2, CONTINUED,**

Supervisor Eugene Thach	NO
Supervisor Gerald Clifton	YES

Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit H.2\*\***

**3. County Road to Arkabutla Lake – Corp. of Engineers**

Supervisor John Caldwell said he wanted to send a letter to the Corp Of Engineers regarding the use of a County Road being used to transport rock to Arkabutla Lake. Supervisor Caldwell said the weight limit for the road would not handle the 80,000 load the trucks are carrying. Supervisor Caldwell said they would be hauling 6,000 loads of rocks and if they lower the weight limits of their trucks it would take longer for the job to be completed, but the County section of Hwy 301 can not handle this load. Then the County would have to repair the road. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Chamberlin/Nowak Law Firm to send a letter to the truck haulers that they are in violation of the road weight limit and are instructed to cease hauling until some arrangement can be worked out and for the Road Department to put up signs designating weight limits for the road. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**4. Grants - Sirens**

Supervisor John Caldwell said that Northwest Community College had applied for a grant to install a warning siren at the college. Supervisor Caldwell asked the County Administrator to check to see if these grants applied to schools only. County Administrator David Armstrong said he would check into this. No motions were made on this item.

**5. Resolution of Appreciation for Pat Koehler**

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to send up a Resolution of Appreciation to Pat Koehler, who was a Planning Commissioner for District 3. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**6. Regional Utility Authority Appointment Resolution**

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion stating:

THEREFORE, BE IT RESOLVED that Robert Ramage be and is hereby appointed to the Board of Directors of the DeSoto County Regional Utility Authority, with said appointment to be deemed effective as of the 7<sup>th</sup> day of January, 2002 and expiring on the 7<sup>th</sup> day of January, 2006.

**ITEM H.6, CONTINUED,**

BE IT FURTHER RESOLVED that the County does hereby approve and ratify any and all votes made and actions taken by Robert Ramage, on behalf of the DeSoto County Regional Utility Authority, which occurred after the expiration of the

term of his initial appointment, which expired on the 7<sup>th</sup> day of January, 2002, through and until the approval of this resolution.

To approve the re-appointment of Mr. Robert Ramage, 5323 Highway 301 N., Walls, MS 38680 to the Regional Utility Authority as the Board of Supervisors At Large Appointee. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**7. American Heart Association and Assisi Foundation of Greater Memphis Grant for Automatic External Defibrillators to EMS**

Deputy Fire Marshall Mike Hancock appeared before the Board of Supervisors regarding the selection of the Lewisburg and Eudora Fire Department being awarded two Automatic External Defibrillators for their first responder units by the American Heart Association and the Assisi Foundation of Greater Memphis.

Mr. Hancock said in order to receive these units the County is responsible to purchase the units and then submit the invoices with the required documentation and the money would be refunded to the County. Mr. Hancock said the defibrillators must be ordered and all paperwork signed by April 30, 2002 for the money to be refunded. Mr. Hancock said he had already gotten two quotes on the defibrillators

County Administrator David Armstrong said the funds to purchase these would require a budget amendment from the General funds.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve Deputy Fire Marshall Mike Hancock to purchase the two defibrillators through the proper purchasing procedures and to approve a budget amendment necessary for the purchase. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**\*\*See Exhibit H.7\*\***

**8. Letter to Railroad for Confirmation of Agreement for Starlanding Road and Nail Road Overpass.**

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Chamberlin/Nowak Law Firm to send a letter to the Railroad requesting documentation of their intentions on the Starlanding Road and the Nail Road Railroad Projects. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**CONTINUED,**

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion, to recess the meeting until April 15, 2002 at 9:00 am. The motion passed by a unanimous vote.

THIS the 3<sup>RD</sup>. day of April 2002, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Jessie Medlin, President  
DeSoto County Board of Supervisors